Many persons have supported this move. Sri K. Pattabhi Raman among others has said that it is very necessary that Judiciary has to be separated from the Executive.

With this I move this resolution for the acceptance of the House.

4 P.M.

Mr. SPEAKER.—Resolution moved:

"That this Assembly is of the opinion that the Judiciary be separated from the Executive forthwith."

*Sri H. SIDDAVEERAPPA (Minister for Home and Industries).—Sir, as you were pleased to observe, this question has been discussed on the floor of the House rather threadbare on a number of occasions. I do not think I can add anything useful now at this stage. As soon as the Committee's report is received, Government will consider what action has to be taken. Government will have to take a decision in the light of the present circumstances and I can only say that at the suitable time, the suggestion of the Hon'ble Member as contained in this resolution will be considered.

I hope my Hon'ble friend will be good enough to withdraw his resolution.

Sri R. ANANTARAMAN.—I beg leave to withdraw the resolution.

The resolution was, by leave, withdrawn.

No. 28.—Scrutiny by Legislature of Legislative authority delegated to Government.

Sri M. V. RAMA RAO (Tumkur).—Sir, I beg to move:

"That this Assembly is of opinion that all rules, regulations or notifications and amendments thereto made or issued in the exercise of legislative authority delegated to Government or any officer thereof by any legislative enactment shall be laid before each House of the Legislature as soon as may be after they are made or issued and shall be subject to such modifications, whether by way of repeal or amendment, as both Houses of the Legislature may make during the Session in which they are so laid."

Sir, in commending this resolution for the acceptance of the House, I should like to say that during the course of the debate upon the Budget, I have had occasion to explain at considerable length the necessity for enabling this House to scrutinise on appropriate occasions and in appropriate manner the exercise of legislative authority delegated to Government or to other executive agencies by legislative enactment passed in either House of Legislature. Sir, the modern tendency, not merely in the State of Mysore or even in the Indian Union, but in democratic countries all over the world so far as my acquaintance with them proceeds upon the reading of books, is to prepare legislative bills in the form of skeleton drafts and to entrust executive agencies with the task of filling in the details of legislation; and though it may be said that the exigencies of modern democratic government make it necessary for the entrustment of this task of filling in the details of the legislative measures to executive agencies, still it has never been disputed in any State either in India or in any other country. that the legislature ought to have further opportunity of scrutinising how and to what purpose and to what extent the authority so delegated to executive agency has been exercised and what form the rules, regulations or other notifications issued in exercise of that delegated legislative authority have taken.

Sir, you are aware that in many of the legislative measures that come before this House, a stock argument—in the best meaning of that expression—adduced in support of these legislative measures by the spokesmen of the Government who sponsor such legislative measures has been and I suppose will continue to be, that similar legislation has been enacted in the neighbouring State of Madras or the neighbouring State of Bombay or some other State of the Indian Union. It is a

(SRI M. V. RAMA RAO.)

perfectly legitimate argument for the Government to adduce in support of a legislative measure. Therefore, while going with them the entire length to which they go in adducing this argument, I would ask them to do the same thing which is being done in Madras or in Bombay or by the Government of India themselves. In respect of the exercise of legislative authority delegated to Government, whether of the State of Madras or of the State of Bombay or of the Indian Union itself, provision is usually made in a legislative enactment that where rules are framed in the exercise of the authority conferred by a legislative enactment upon the Government or upon the executive agencies, these rules shall be laid on the Table of the House as soon as may be after they are made, so that the House of Legislature may have a suitable opportunity of acquainting itself with the manner in which such authority has been exercised by the agency to which that authority has been delegated and so that modifications including wholesale repeal of such rules, regulations and notifications where the purpose for which that authority was delegated has not been fulfilled or adequately fulfilled may be made. Therefore, Sir, I propose that the Government should keep, if I may say so, an open mind on the subject and consent to look into how this matter is being dealt with by the Central Government in their legislative enactments and by the Governments of the neighbouring States in their legislative enactments and agree to do what is reasonable or at least what is being done in the neighbouring States or by the Indian Union. This, I may add, is not asking for any extension or enlargement of the powers of this House. This House has a right to know how the authority which has been delegated to another agency for performing functions for which this House is responsible, namely legislation, has been exercised; and therefore it is neither an encroachment upon or a curtailment of the powers entrusted to executive agency, but really an opportunity of ascertaining for itself whether the authority possessed by it, though delegated to another agency, has been properly exercised.

Therefore, Sir, I commend this resolution for the acceptance of the House and I hope that although Hon'ble the Law Minister who is in charge of this portfolio happens not to be present in this House at this moment, probably owing to his having to be present in the other House which is in session, the spokesman of the Ministry whoever he may be will see his way to advise the Government about the reasonableness of this resolution so as to enable the Ministry to examine the position that prevails both at the Centre and in the neighbouring States and to agree to bring our own practice into conformity with the practice obtaining elsewhere in the Indian Union.

MR. SPEAKER.—Resolution moved:

> "That this Assembly is of opinion that all rules, regulations or notifications and amendments thereto made or issued in the exercise of legislative authority delegated to Government or any officer thereof by any legislative enactment shall be laid before each House of the Legislature as soon as may be after they are made or issued and shall be subject to such modifications, whether by way of repeal or amendment, as both Houses of the Legislature may make during the session in which they are so laid."

*SRI T. MARIAPPA (Mysore City-North).—Mr. Speaker, Sir, in supporting the resolution moved by my Hon'ble friend Sri Rama Rao, I would like to make a brief statement on the necessity for such a step. Sir, it is a very well understood principle that whenever powers are delegated and are exercised under the rules framed by the Executive, this House has a right to know to what extent these powers have been exercised in conformity with the rules framed or in conformity with the spirit of the original enactment. Sir, as Sri Rama Rao has happily put it, in times of stress and strain it is usually the case that the legislature grants extraordinary powers to the executive and the executive in exercise

of such powers will have certainly to satisfy the House whether these powers were in conformity with the spirit of the main enactment. Sir, in particular, during war time, enormous powers have been given to the executive, and it is a well understood convention in the House of Commons that as soon as may be after the stress and strain is removed, the House usually appoints a committee to know exactly whether these powers have been exercised and in the spirit in which these powers had to be exercised under the main enactments. Sir, it is also a very healthy convention that the rules framed or even bye-laws framed under the main enactment should be laid before the House, so that the House will have the opportunity of scrutinising these rules. Sir, it is not in the spirit of any narrow-mindedness that this House asks for such convention to be established. It is the privilege of this House to know exactly whether, under the rule-making power, the executive has or has not carried out the spirit of the main enactment. Sir, periodically, such scrutiny, if effected, would be in the best interests of the State. Therefore, I would whole-heartedly support this resolution; and I hope, now that the Law Minister is here, he would certainly agree to carry out the spirit of this resolution.

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—Sir, I entirely agree with the spirit of the resolution. In fact the Government itself is considering as to what should be done and what should be the scope of bringing into effect the spirit of this resolution. Recently, Sir, this House might know there was a similar motion in the Central Assembly, *i.e.*, the Parliament of India, and as a result of that, a committee was set up. They have also submitted their report and it is being scrutinised by the Central Government. We are trying to get a copy of that report and certainly we will go as far as it is possible.

With this assurance, I request the Hon'ble Member to kindly withdraw this resolution.

Sri M. V. RAMA RAO.—I beg leave of the House to withdraw the resolution in view of the helpful spirit in which the Law Minister h s promised to consider the matter.

The resolution was, by leave, withdrawn.

Mr. SPEAKER.—Resolutions Nos. 29, 31 and 32—Members absent. Resolution No. 30 cannot be taken up.

No. 33.—Starting an Industrial School at Periyapatna.

*ಶ್ರೀ ಎಸ್. ಎಂ. ಮರಿಯಪ್ಪ (ಪೆರಿಯಾಪಟ್ಣ).—ಸ್ವಾಮಿ, ನನ್ನ ನಿರ್ಣಯ ಈರೀತಿ ಇದೆ :—

"ಪೆರಿಯಾಪಟ್ಣ ಟೌನಿನಲ್ಲಿ, ಬೇಕಾಗುವ ಕಚ್ಚಾ ಪದಾರ್ಥಗಳೂ ಮತ್ತು ಜನರೂ ಅಧಿಕ ಪ್ರಮಾಣದಲ್ಲಿ ದೊರಕುವುದರಿಂದ, ಅಲ್ಲಿ ಒಂದು ಕೈಗಾರಿಕೆಯ ಸ್ಕೂಲನ್ನು ಏರ್ಪಡಿಸಬೇಕೆಂದು, ಈ ಸಭೆಯವರು ಅಭಿಪ್ರಾಯ ಪಡುತ್ತಾರೆ."

ಈ ನಿರ್ಣಯವನ್ನು ಸಭೆಯ ಮುಂದಿಡುತ್ತಾ ಒಂದೆರಡು ವಿಷಯಗಳನ್ನು ಹೇಳುತ್ತೇನೆ. ಈ ತಾಲ್ಲೂಕು ವಿಸ್ತಾರದಲ್ಲಿ ಬಹಳ ದೊಡ್ಡದಾಗಿದ್ದರೂ ಮೈಸೂರು ಸೀಮೆಯ ಕೊನೆಯಲ್ಲಿರುವುದರಿಂದ ಮತ್ತು ಸರ್ಕಾರ ಕೇಂದ್ರೀಕೃತವಾಗಿರುವ ಬೆಂಗಳೂರಿಗೆ ಬಹಳ ದೂರವಾಗಿರುವುದರಿಂದ ಮಂತ್ರಿಗಳ ದೃಷ್ಟಿ ಈ ತಾಲ್ಲೂಕಿನ ಮೇಲೆ ಯಾವ ವಿಧದಲ್ಲೂ ಬಿದ್ದಿಲ್ಲ. ಹಿಂದೆ ಈ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಕೈಗಾರಿಕೆ ಸ್ಕೂಲನ್ನೇರ್ಪಡಿಸಿ ಇದನ್ನು ಅಭಿವೃದ್ಧಿಗೆ ತರಬೇಕೆಂದು ಶ್ರೀಮಾನ್ ವಿಶ್ವೇಶ್ವರಯ್ಯನವರು ಹಾಕಿದ್ದ ಯೋಜನೆ ಕೂಡ ಹಾಗೆಯೇ ಇದೆ. ಈಗ ನಮ್ಮ ಸರ್ಕಾರದವರು, first Five-Year Plan, second Five-Year Plan ಸಾಮುದಾಯಿಕ ಯೋಜನೆ ಇವೆಲ್ಲಾ ಮಾಡಿದ್ದಾರೆ. ಆದರೆ ಈ ತಾಲ್ಲೂಕನ್ನು ಮಾತ್ರ ಅಭಿವೃದ್ಧಿಗೆ ತರಲು ಸರ್ಕಾರದವರು ಒಂದು ನಿರ್ದಿಷ್ಟ ಯೋಜನೆ ಮಾಡಿಲ್ಲ. ಈ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಅನೇಕ ವಿಧವಾದ ಕಚ್ಚಾ ಸಾಮಾನುಗಳೂ, ಅವನ್ನು ಪಕ್ಕಾ ಸಾಮಾನುಗಳನ್ನಾಗಿ ಮಾಡಲು ಬೇಕಾದ ಜನಸಮುದಾಯವೂ ಬೇಕಾದಷ್ಟಿದೆ. ಈ ಕಚ್ಚಾ ಸಾಮಾನನ್ನು ಪಕ್ಕಾ ಸಾಮಾನನ್ನಾಗಿ ಮಾಡುವುದರಿಂದ ಕಚ್ಚಾ ಸಾಮಾನಿಗೆ ಬೆಲೆ ಹೆಚ್ಚುವುದೂ ಅಲ್ಲದೆ ಕೂಲಿಯೂ ಕೂಡ ಜನತೆಗೆ ಲಭಿಸಿ ನಿರುದ್ಯೋಗದ ಸಮಸ್ಯೆಯೂ ಪರಿಹಾರವಾಗುತ್ತದೆ. ಉದಾಹರಣೆಗೆ ಈ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಹೆಚ್ಚಾಗಿ ಹತ್ತಿ, ಉಣ್ಣೆ, ಬಿದಿರು, ಗಂಧದ ಮರ, ರೋಸ್‌ವುಡ್, ಟೀಕ್‌ವುಡ್, ಬಣ್ಣ ಹಾಕಲು ಬೇಕಾದ ತೊಗಟೆ ಮೊದಲಾದುವೂ ಸಿಕ್ಕಿ ಕೈಗಾರಿಕೆಗೆ ಲಾಯಕ್ಕಾದ ಜನರೂ ಇಲ್ಲಿ ಒದಗುತ್ತಾರೆ. ನಮ್ಮ ದೇಶದಲ್ಲಿರುವ ಅನೇಕ ವ್ಯವಸಾಯಗಾರರಿಗೂ ಕೂಡ ವರ್ಷದಲ್ಲಿ ಕೇವಲ ಕೆಲವು ಕಾಲ ಮಾತ್ರ ಕೆಲಸವಿರುತ್ತದೆ, ಉಳಿದ ಕಾಲದಲ್ಲಿ ಯಾವ ಕೆಲಸವೂ ಇಲ್ಲದೆ ಕಾಲ ಕಳೆಯುತ್ತಿರುತ್ತಾರೆ. ಅವರಿಗೆ ಯಾವ ಉಪ ಕಸುಬೂ ಇಲ್ಲ. ಹೆಚ್ಚು ಜನರು ಪಕ್ಕದಲ್ಲಿರುವ ಕೊಡಗಿಗೆ ಹೋಗಿ ಕಾಫಿ ಕ್ಯೂರಿಂಗ್ ವರ್ಕ್ಸ್, ಹೆಂಚಿನ ಕಾರ್ಖಾನೆ ಮತ್ತು ಇತರ ಕಾರ್ಖಾನೆಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡಿ ಜೀವನ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಮುಖ್ಯವಾಗಿ ಈ ತಾಲ್ಲೂಕಿನಲ್ಲಿರುವ ನಿರುದ್ಯೋಗ ಸಮಸ್ಯೆಯನ್ನು ನಿವಾರಿಸಿ ಜನರಿಗೆ ಜೀವನೋಪಾಯವನ್ನು ದೊರಕಿಸಲು ಇಲ್ಲಿ ಸಿಕ್ಕುವ ಕಚ್ಚಾ